

07/23/01
JUL 23 2001
U.S. PTO

ASSISTANT COMMISSIONER FOR PATENTS

WASHINGTON, D.C. 20231

ATTENTION: BOX PATENT APPLICATION

Sir:

Transmitted herewith for filing is the patent application of

Inventor(s): **Judith Zyskind**
 Kari L. Ohlsen
 John Trawick
 R. Allyn Forsyth
 Jamie M. Froelich
 Grant J. Carr
 Robert T. Yamamoto
 H. Howard Xu

For: **GENES IDENTIFIED AS REQUIRED FOR PROLIFERATION IN ESCHERICHIA COLI**

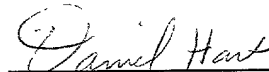
Enclosed are:

- (X) 3 sheets of drawing.
- (X) This application is a divisional application from U.S. Patent Application Serial Number 09/492,709, filed January 27, 2000 which claims priority to U.S. Provisional Patent Application Serial Number 60/117,405 filed January 27, 1999. The disclosures of U.S. Patent Application Serial Number 09/492,709 and U.S. Provisional Patent Application Serial Number 60/117,405 are incorporated herein by reference in their entireties.
- (X) A copy of Declaration from prior application is enclosed.
- (X) The prior application is assigned of record to ELITRA PHARMACEUTICALS, INC., a Delaware corporation, by virtue of an assignment submitted to the Patent and Trademark Office for recording on May 22, 2000, at Reel 010843, Frame 0361.
- (X) The present application qualifies for small entity status under 37 C.F.R. § 1.27.
- (X) A small entity statement was filed in the prior application, and such status is still proper and desired.
- (X) An Information Disclosure Statement.
- (X) A PTO Form 1449 listing ninety-seven (97) references, copies of which are not enclosed because they were referenced in the parent application.
- (X) Sequence Submission Statement.
- (X) Sequence Listing in 241 pages.
- (X) Sequence Listing in computer readable format.
- (X) Return prepaid postcard.

The fees are calculated below:

CLAIMS AS FILED				
FOR	NUMBER FILED	NUMBER EXTRA	RATE	FEE
Basic Fee			\$355	\$355
Total Claims	17 - 20 =	0 ×	\$ 9	\$ 0
Independent Claims	3 - 3 =	0 ×	\$ 40	\$ 0
If application contains any multiple dependent claims(s), then add			\$135	\$ 0
TOTAL FILING FEE		\$355		

- (X) A check in the amount of \$355 to cover the filing fee is enclosed.
- (X) The Commissioner is hereby authorized to charge any additional fees which may be required, now or in the future, or credit any overpayment to Account No. 11-1410.
- (X) Please use Customer No. **20,995** for the correspondence address.



Daniel Hart
Registration No. 40,637
Attorney of Record

07-25-01

Knobbe Martens Olson & Bear LLP

Intellectual Property Law

620 Newport Center Drive
Sixteenth Floor
Newport Beach, CA 92660
Tel 949-760-0404
Fax 949-760-9502
www.kmob.com

Daniel Hart, Ph.D.

J1036 U.S. PTO
09/912020
07/23/01

Assistant Commissioner for Patents
Washington, D.C. 20231

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Attorney Docket No. : ELITRA.001DV1
Applicant(s) : Zyskind, et al.
For : GENES IDENTIFIED AS REQUIRED FOR
PROLIFERATION IN ESCERICHIA COLI
Attorney : Daniel Hart
"Express Mail"
Mailing Label No. : EL 842759774 US
Date of Deposit : July 23, 2001

I hereby certify that the accompanying

Specification in 112 pages; 3 sheets of drawings; Copy of **SIGNED** Declaration
by Inventor from prior application in 3 pages; Sequence Submission Statement;
Sequence Listing in 241 pages; Sequence Listing in Computer Readable Format;
PTO Form 1449 with 97 references from prior application; Check for Filing Fee;
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are being deposited with the United States Postal Service "Express Mail Post Office to
Addressee" service under 37 CFR 1.10 on the date indicated above and are addressed to the
Assistant Commissioner for Patents, Washington, D.C. 20231.


Carol Ann Macarty

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Los Angeles
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Riverside
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Zyskind, et al.
Appl. No. : Unknown
Filed : Herewith
For : GENES IDENTIFIED AS REQUIRED FOR PROLIFERATION
IN ESCHERICHIA COLI

SEQUENCE SUBMISSION STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

A copy of the Sequence Listing in computer readable form as required by 37 C.F.R. § 1.821(e) is submitted herewith.

As required by 37 C.F.R. § 1.821(f), the data on the enclosed disk is identical to the Sequence Listing in the application filed herewith.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: July 23, 2001

By: Daniel Hart

Daniel Hart
Registration No. 40,637
Attorney of Record
620 Newport Center Drive
Sixteenth Floor
Newport Beach, CA 92660
(619) 235-8550